

SENATE BILL 3163
By Beavers

AN ACT to amend Tennessee Code Annotated, Title 29,
relative to eminent domain.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 17, is amended by adding
the following new part 13:

§ 29-17-1301.

As used in this part, unless the context otherwise requires, "public use" means
and is limited to use of property for:

(1) Publicly-owned facilities including, but not limited to, schools,
libraries, museums, parks, hospitals, and buildings housing agencies or branches
of government; and

(2) Public services and infrastructures provided to the public or a
segment thereof by state or local governments or common carriers, including, but
not limited to, public utilities such as electricity, gas, and water, roads, highways,
railroads and other transportation projects, water supply, flood control, drainage,
sewage, and communications services.

§ 29-17-1302.

Eminent domain under this chapter, title 29, chapter 16, or any other provision of
law shall not be exercised by the state, any political subdivision of the state, or any other
authority to which the power of eminent domain has been granted to acquire property for
purposes other than public use as defined in § 29-17-1301.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.